

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

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Annual 64.2009(e) CPNI Certification for 2007

Date filed: February 28, 2008

Name of company covered by this certification: Affinity Mobile LLC d/b/a Trumpet Mobile

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Name of signatory: Craig McNeil

Title of signatory: Executive Vice President & Chief Operating Officer

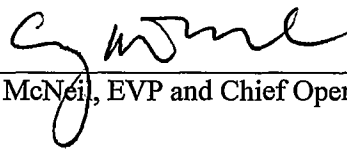
I, Craig McNeil, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See* 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year. The company has no information outside of FCC Docket No. 96-115, or that is not otherwise publicly available (*e.g.*, through news media), regarding the processes pretexters are using to attempt to gain access to CPNI. The company takes reasonable steps to discover and protect against attempts to gain unauthorized access to CPNI, including the authentication of customers prior to disclosing CPNI based on customer-initiated contacts. The steps the company has taken to protect CPNI are discussed in the attached statement.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

Signed


Craig McNeil, EVP and Chief Operating OfficerNo. of Copies rec'd 0
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STATEMENT REGARDING PROTECTION OF CUSTOMER CPNI FROM UNAUTHORIZED RELEASE

I. **Policy Regarding Use of CPNI.** Affinity Mobile's general policy on the use of CPNI is to use CPNI only in accordance with the requirements of 47 C.F.R. Section 64.2001 *et seq.* As such, Affinity Mobile may use CPNI for the following purposes:

- To initiate, render, maintain, repair, bill and collect for services;
- To protect its property rights; or to protect its subscribers or other carriers from fraudulent, abusive, or the unlawful use of, or subscription to, such services;
- To provide inbound telemarketing, referral or administrative services to the customer during a customer initiated call and with the customer's informed consent.
- To market additional services to customers that are within the same categories of service to which the customer already subscribes;
- To market services formerly known as adjunct-to-basic services; and
- To market additional services to customers with the receipt of informed consent via the use of opt-in or out-out, as applicable.

In addition, Affinity Mobile may disclose and permit access to CPNI where required by law (e.g., under a lawfully issued subpoena).

At present, Affinity Mobile does **not** use CPNI for any marketing purpose even if permitted pursuant to 47 C.F.R. Section 64.2001 *et seq.*, without express subscriber opt-in approval obtained after prior notification of the customer in compliance with Section 64.2008. At present, Affinity Mobile has not obtained any subscriber opt-ins per Section 64.2008 and thus is not using CPNI for marketing purposes..

Affinity Mobile has notified customers of their rights regarding CPNI. A copy of this notice may be viewed by going to the Company's website and clicking on the link to the Privacy Policy, see www.trumpetmobile.com/customerportal/index.aspx. A copy of the pertinent portion of this CPNI notice is attached to this Statement. This same notice is set forth in the terms and conditions which are included with each handset sold by the Company. The Company's record retention policy is to maintain records of any customer opt-in approvals for a minimum of one year.

II. **Access to CPNI by Handset User.** Access to a subscriber's CPNI may be obtained in one of only two methods—online access and telephone access - both of which require (i) password authentication of the subscriber and (ii) possession of the subscriber's handset. Neither method relies upon the provision of readily available biographical information of the subscriber in order to gain access to CPNI. Furthermore, as discussed below, use of account information alone (i.e., mobile phone number associated with the account) will give the customer access through the Trumpet Mobile Call Center only to remaining airtime minutes balance and not to call detail information. Affinity Mobile does not permit access to customer proprietary network information through in-store visit and authentication.

A. **Use of the Trumpet Mobile Website.** An individual may obtain access to CPNI by accessing a subscriber's account through the "My Account" link on www.trumpetmobile.com/customerportal/index.aspx. To do so requires that each subscriber first successfully complete the registration process. The registration process requires that the subscriber first enter his or her nine digit mobile phone number and zip code. After system verification of the mobile phone number as a valid Trumpet Mobile number, a Trumpet Mobile generated password or PIN is then sent via text message to the mobile phone number entered and verified. To successfully complete the registration process, the exact same

password sent to the mobile handset must be entered upon the subscriber's return to the Trumpet Mobile registration portal. Completing this registration/authentication process will *gain the correct password entrant access to all account information for the account associated with the mobile phone number entered including CPNI*. A successful registrant may then change his or her password to one that must be entered and re-entered to gain access to the account in the future. An individual attempting to access account information with a correct mobile phone number but without a correct password or indicating that a once existing password has been forgotten, will again be permitted to gain access to account information **only** after having successfully completed the above process whereby a Trumpet Mobile generated password or PIN will be texted to the mobile phone number of record which must be entered upon return to the Trumpet Mobile website in order to gain access to account information including CPNI.

B. Use of the Trumpet Mobile Call Center. An individual may obtain access to account information including CPNI by calling the Trumpet Mobile call center (877-TRUMPET; 877-878-6738) and providing the appropriate level of authentication. A caller in possession of the mobile phone number and associated zip code on the account is authenticated to the first level and may be provided **account airtime balance only** over the phone by the call center. If the caller is requesting any account information other than account airtime balance, second and/or third level authentication of the caller is required. The provision by the call center of any further information relating to the account beyond the airtime account balance requires a further level of customer authentication which may be provided by the caller's providing (1) a pre-existing password associated with the account (see registration and password creation above) or (2) a return call by the customer with the provision of a Affinity Mobile call center generated password or PIN that is sent to the mobile phone number of record by text message. In addition to provision of the correct password, the correct answer to a question concerning the last use or account activity is required, e.g., identification of the last number called or last date and amount of airtime reload. Affinity Mobile has a policy of actively monitoring the calls that come into the call center to ensure compliance with the foregoing authentication requirements. Call center supervisory personnel have the technical capacity and are required by Affinity Mobile policy to routinely monitor the response activities of customer call center operators and representatives to inbound calls and are authorized to take appropriate disciplinary action including termination in the event of breaches of the Company's policies concerning CPNI.

C. Notification of Account Changes. It is the policy of Affinity Mobile to send a text message or voicemail to mobile phone number of record in the event of a (i) request to create a password, whether initially or lost or forgotten or (ii) change an address of record for the mobile phone number. No information is included in the text message or voicemail that identifies the password or address, but simply that a change has of information has taken place.

III. Breach Notification. The discovery by any Company personnel or contractors of any attempt to gain access to CPNI in a manner not authorized by Company policies or in breach of Company policies is required to be immediately reported to the General Counsel of the Company for further investigation and action (including but not limited to notice to law enforcement) as appropriate.

IV. Training and Discipline. During 2007, Affinity Mobile made extensive efforts to educate its marketing personnel on the Commission's rules and regulations regarding the use of CPNI for marketing

purposes and to develop policies and procedures on the use and protection of CPNI. Affinity Mobile is in the process of developing and implementing a company-wide training program on its CPNI policies and procedures. *Affinity Mobile will update this statement upon completion of this program.*

Affinity Mobile believes that the foregoing policies and customer authentication processes adequately ensure: (i) compliance with the CPNI protection requirements, and (ii) against unauthorized disclosure of CPNI to anyone other than the person in lawful possession of the mobile phone. Each attempt to access CPNI whether online or by phone requires authentication through means other than by use of readily available biographical information of the customer, i.e., each access requires the provision of a password that is, in all cases, first generated by Affinity Mobile and required to be returned by the user of the mobile phone associated with the customer's account in order to obtain access.

Attachment to Statement

Customer Proprietary Network Information ("CPNI")

If you are a customer of Trumpet Mobile, we may collect information about the quantity, technical configuration, type, destination, and amount of your use of our wireless services. This information is your "Customer Proprietary Network Information" or "CPNI."

- **Your Rights and Our Obligations Regarding CPNI**

We have a duty under federal and state law to protect the confidentiality of CPNI. Consistent with applicable law, we may use your CPNI to identify and inform you of services, products, or promotions that relate to or make use of your Trumpet Mobile wireless service. Consistent with applicable law and with your permission ("Opt-In"), we may use your CPNI, or provide your CPNI to our partners (including but not limited to Radio Shack, Western Union®, and The Bancorp Bank), to identify and inform you of other services, products, or promotions that we think may be of value to you.

You do not have to Opt-In, and if you do Opt-In, you can withdraw your Opt-In at any time. To withdraw your Opt-In, contact Customer care at 877-TRUMPET. If you don't Opt-In, your decision won't affect our provision of services to you, but you may lose the right to take advantage of certain promotions.